

EXHIBIT D

MARGINATION

cooperate & prosper

September 12, 2016

Haywood S. Gilliam Jr.
U.S. District Court Judge
450 Golden Gate Avenue
San Francisco, California 94102

Re: United States v. Arnold Fischman, Case No. CR 4:16-cr-00246-HSG

Your Honor:

Mr. Arnold Fischman provides vital pro bono real estate consulting to Margination, which is working to revitalize a low-income neighborhood in Troy, New York. Mr. Fischman's assistance is particularly crucial in the next several months, as explained below, and so I am writing to request that you permit him to remain at liberty, with continued access to email and the Internet, pending his sentencing in the above-referenced case.

Margination is a new organization pioneering an innovative model to economic development. We have just launched our first pilot project, which integrates business incubation, social support, and affordable housing to create a viable pathway to employment and asset development for neighborhood residents. As a new organization developing an untested model, we rely heavily on volunteers. The success of the current pilot will provide the proof of concept we need to bring the organization to scale.

At the center of the pilot is the renovation of a blighted building into two apartments and a day care center. The apartments will house newly employed workers in the cleaning service and woodworking company that Margination is now incubating. The day care center will address a major barrier to employment for those workers and other families in the neighborhood.

Mr. Fischman, an experienced affordable housing developer, is my primary consultant on the development of the property. We work extensively together over email, exchanging an Excel financial model developed by Mr. Fischman. Margination's construction partner has just submitted a preliminary project budget, and Mr. Fischman and I are now working on the loan application, due October 5th, that will allow the project to move forward. Preparing this application will require the nearly daily exchange of electronic files as we update our budget with new information from the contractor and adjust the terms of the loan proposal.


Because of Mr. Fischman's expertise in cooperative housing, his deep familiarity with Margination's unique business model, and his ability to work pro bono, he will be extremely difficult to replace in this role. The delays and associated cost overruns will put the redevelopment project in jeopardy—a potentially fatal setback for our young organization as it seeks to demonstrate proof of concept and secure further funding.

Thank you so much for considering my request. Please feel free to contact me with any questions.

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Sincerely,



Jesse Marshall
Executive Director
jesse@margination.org